

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IVORY KING,  
Petitioner,

v.

JOHN D. FISHER, et al.,  
Respondents.

: CIVIL ACTION

:

:

:

:

:

:

No. 14-5150

**FILED**

OCT - 2 2014

MICHAEL E. KUNZ, Clerk  
By \_\_\_\_\_ Dep. Clerk

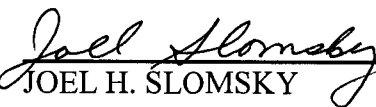
**ORDER**

**JOEL H. SLOMSKY, J.**

AND NOW, this 2<sup>nd</sup> day of October, 2014, upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Petitioner's petition for a writ of habeas corpus is STAYED and held in ABEYANCE pending the conclusion of Songster v. Sec. Pa. Dep't of Corrections, C.A. No. 12-3941, and any further appeal.
3. Petitioner shall return to this Court within thirty days following the final appellate decision in Songster. If Petitioner does not return to federal court within that time, this stay and abeyance order will be vacated and his petition will be denied without prejudice.
4. There is no probable cause to issue a certificate of appealability.

BY THE COURT:

  
JOEL H. SLOMSKY  
U.S. DISTRICT COURT JUDGE